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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/810,392	03/19/2001	Wang-Pin Pan		5999

7590 09/05/2002
Wang-Pin Pan
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EXAMINER

BLANTON, REBECCA A

ART UNIT	PAPER NUMBER
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1762

DATE MAILED: 09/05/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

R-2

Office Action Summary

Application No.	Applicant(s)	
09/810,392	PAN, WANG-PIN	
Examiner	Art Unit	
Rebecca A. Blanton	1762	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 1762

DETAILED ACTION

Claim Objections

Claim 1 is objected to because of the following informalities: the wording of lines 2-3 should be written so as to clearly explain the claim limitations. Appropriate correction is required. The examiner suggests writing line 2 as follows:

"...comprising the steps of first diluting a PU resin by adding the PU resin to a DMF solvent, followed by adding and mixing mildewproof, antibacterial and aromatic agents into the resin-solvent mixture..."

Claim 1 is objected to because of the following informalities: the wording of lines 15-17 should be written so as to clearly explain the claim limitations. Appropriate correction is required. The examiner suggests writing lines 15-17 as follows:

"...antibacterial and the aromatic agents; therefore, the mildewproof, antibacterial, and aromatic agents can combine with the grip rubber thereby eliminating odor and imparting resistance to mildew and bacteria."

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 recites the limitation "the exercise device" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the PU resin" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the DMF solvent" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the mildewproof" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the antibacterial" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the non-woven fabrics" in line 10. There is insufficient antecedent basis for this limitation in the claim.

Allowable Subject Matter

Claim 1 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

Claim 1 is allowable because of the applicant's limitation of forming grip rubber by first adding PU resin to a DMF solvent, followed by the addition of mildew-resistant and antibacterial agents, wherein the mixture is then spread onto a non-woven fabric, which is molded into an exercise device distinguishes over Hill et al. (U.S. 6,218,492) because while the reference teaches the addition of antibacterial and mildew-resistant agents to grip rubber, Hill et al. does not teach the use of a PU resin to form the grip rubber.

None of the prior art of record teaches or makes obvious the applicant's claimed invention of forming grip rubber for an exercise device by first adding PU resin to a DMF solvent, followed by the addition of mildew-resistant and antibacterial agents, wherein

the mixture is then spread onto a non-woven fabric, which is molded into the grip rubber portion of an exercise device.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rebecca A. Blanton whose telephone number is 703-605-4295. The examiner can normally be reached on M - F (7:30am - 3:30pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shrive P. Beck can be reached on 703-308-2333. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

rab

September 3, 2002


MICHAEL BARR
PRIMARY EXAMINER